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Legal Department, DL429
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10-10-03
ATTORNEY DOCKET NO. 10891612-2

1639
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Carol T. Schembri

Serial No.: 09/997,564

Examiner: My Chau T Tran

Filing Date: November 28, 2001

Group Art Unit: 1639

Title: Methods and Compositions for Producing Biopolymeric Arrays

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- ☒ Response/Amendment ☐ Petition to extend time to respond
☐ New fee as calculated below ☐ Supplemental Declaration
☒ No additional fee (Address envelope to "Mail Stop Non-Fee Amendments")
☒ Other: Postcard (Fee \$ _____)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS		MINUS		=	X 18	\$
INDEP. CLAIMS		MINUS		=	X 86	\$
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ 290	\$
EXTENSION FEE	1 ST MONTH 110.00 <input type="checkbox"/>	2 ND MONTH 420.00 <input type="checkbox"/>	3 RD MONTH 950.00 <input type="checkbox"/>	4 TH MONTH 1480.00 <input type="checkbox"/>		\$
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$

Charge \$0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 50-1078 pursuant to 37 CFR 1.2 5. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21.

Respectfully submitted,

"Express Mail" label no. EV333999185US

Date of Deposit: October 8, 2003

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on The date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Typed Name: Donna Macedo

Signature: Donna Macedo

By Bret Field

Bret Field for Gordon Stewart
Attorney/Agent for Applicant(s)

Reg. No. 37,620

Date: October 8, 2003

Telephone No. (650) 485-2386



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RESPONSE TO RESTRICTION REQUIREMENT Address to: Commissioner for Patents P.O. Box 1450 Arlington VA 22313-1450	Attorney Docket Confirmation No.	10981612-2
	First Named Inventor	Carol T. Schembri
	Application Number	09/997,564
	Filing Date	11/28/2001
	Group Art Unit	1639
	Examiner Name	My Chau T Tran
	Title	Methods and Compositions for Producing Biopolymeric Arrays

Dear Sir:

This communication is responsive to the office communication dated September 10, 2003.

In the above referenced office communication, the Examiner imposed a restriction requirement, requiring the election of the claims of either:

Group I, i.e., Claims 1-7;
Group II, i.e., Claim 17;
Group III, i.e., Claims 18-19;
Group IV, i.e., Claim 20;
Group V, i.e., Claims 21-23; or
Group VI, i.e., Claims 24-27;

for further prosecution in this application.

The Applicant hereby elects Group III with traverse.

The Applicant also respectfully urges the Examiner to rejoin the claims of at least Groups IV, V and VI with the elected claims of Group III for examination in this application for the following reasons.

The MPEP allows an Examiner to examine otherwise patentably distinct sets of claims if to so would not impose an undue burden on the Examiner. M.P.E.P. § 8.03 states that:

If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

In the present case, Claim 20 of Group IV is a species of the generic claims of elected Group III. Furthermore, the kit claims of Group V all include the claimed array of Group III, and the method claims of Group VI employ the elected arrays of Group

DATE: Oct ber 8, 2003

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Signature



Date

10/8/03

Atty. Docket No.	Serial Number	Description	Atty.	Fee
STAN-210	09/682,706	Petition for a 3 Month Extension of Time <i>in duplicate</i>	PJS	\$475
AERX-GEN1		Notification of Change of Entity Status, Exhibit 1	KYB	
AERX-055CON5	10/212,897	Petition for a 3 Month extension of Time <i>in duplicate</i>	KYB	\$950
AERX-097CIP	09/731,398	Request for RCE Transmittal, Fee Transmittal <i>in duplicate</i> , Petition for a 3-1 Month Extension of Time	CML	\$1,610
STAN-270	10/449, 795	Transmittal, Fee Transmittal <i>in duplicate</i> , Executed Declaration, Formal Drawing Transmittal, (7) Sheets of Figures	PJS	\$65
AGIL-006DIV	09/997,564	Transmittal, Restriction Election	BEF	
UCAL-062CON	09/829,507	Interview Summary	KYB	
STAN-205CIP	10/404,599	Transmittal, Fee Transmittal <i>in duplicate</i> , Copy of Notice to File Missing Parts, Executed Declaration	PJS	\$65



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1	CTNF	6
2	892	1
3	1449	4

Total number of pages: 11

Remarks:

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